UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES COMMODITY FUTURES TRADING COMMISSION, Plaintiff,) Civil Action No. <u>12-cv-8791 (CM)</u>) (GWG))
v.)
ERIC MONCADA; BES CAPITAL LLC; and SERDIKA LLC.)))
Defendant(s).)
)
)
	_ <i>J</i>

AFFIDAVIT OF ANDREW RIDENOUR

I, Andrew L. Ridenour, affirm pursuant to 28 U.S.C. § 1746, as follows:

- 1. I am an attorney duly admitted to practice in the District of Columbia. I am appearing before this Court as counsel for the United States Commodity Futures Trading Commission ("Commission"). I respectfully submit this affidavit in support of the Commission's Memorandum in Opposition to Defendant Moncada's Motion to Extend Time.
- 2. On March 5, 2013, the Commission retained Dr. Hendrik Bessembinder to analyze Eric Moncada's trading, prepare an expert report and to testify as an expert witness in the above-captioned case. The Commission subsequently provided Dr. Bessembinder with spreadsheets of trade data generated by the CME Group, Inc. (which was redacted by the Commission) and Advantage Futures LLC (the "Trade Data").
- 3. On April 30, 2013, pursuant to the Court's Civil Case Management Plan (the "Plan"), I produced to counsel for Defendant Eric Moncada ("Defendant") the Commission's

initial disclosures, including all Trade Data provided to Dr. Bessembinder. I also produced to Defendant's counsel a copy of the expert report prepared by Dr. Bessembinder.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: This 12th day of September, 2013

Washington, DC

Andrew L. Ridenour